

DEPARTMENT OF PLANNING & LAND MANAGEMENT

The Umbrella Arts Center Renovation Report Date: May 5, 2017
Prepared by: Elizabeth Hughes, Town Planner

GENERAL INFORMATION

Owner/Applicant: Christopher Whelan, Town Manager
Town of Concord
22 Monument Square
Concord, MA 01742

Applicant: Jerry Wedge, Executive Director
Umbrella Community Arts Center
40 Stow Street
Concord, MA 01742

Requested Action: Recommendation to the Board of Appeals on Application of Town of Concord and the Umbrella Community Arts Center under Sections 4.3.1, 4.3.4, 6.2.11, 7.7.12, 11.6, and 11.8 of Zoning Bylaw for a Special Permit and Site Plan Review to partially demolish, renovate, and expand the existing auditorium and make parking lot improvements.

Location: The Site is located at 40 Stow Street, on the southeast corner of Sudbury Road and Stow Street (Assessor Parcel #0809)

Size of Tract: 3 acres (130,680 SF); The Umbrella leases approximately 2.66 acres of the Site.

Zoning/Existing Land Use: The Site is in the Residence C Zoning District and contains the Umbrella Community Art Center building, access driveways, parking behind the Umbrella building and an adjacent municipal parking lot.

Surrounding Land Uses/(Zoning): The Site is surrounded by residential uses in the Residence C Zoning District, and to the north, across Sudbury Road, is the Concord Free Public Library.

Utilities: The site is served by Town water, sewer, electric and gas.

I. Proposed Project

The Applicant seeks to renovate and expand the Umbrella building, which includes:

- Demolition of a portion of the existing auditorium;
- Construction of a new 26,462 square foot auditorium (the number of seats to remain the same);
- Renovation of the interior of the existing building;
- New accessible front pedestrian entrance to the building;

- New access driveway, parking lot behind the new addition, and site utility work;
- Expansion of the adjacent municipal parking lot and upgrades to the stormwater drainage.

The Applicant is requesting a waiver to the 35-foot height to allow a height of the new addition of 45'-4". This height does not exceed the roof height of the portion of the existing building to remain that faces Stow Road.

The site improvements will create 19 spaces on the leased area for the Applicant and the municipal lot expansion will increase the number of spaces from 41 spaces to 76 spaces. The use of the municipal lot is primarily shared with the Library. The Building Commissioner has determined that 37 spaces are required for the educational/philanthropic uses and 88 spaces for the auditorium. The Applicant is requesting relief from the required number of spaces.

II. Town Staff Review

A. Police Department: The Community Safety Officer does not have any issues or concerns with the proposed project and recommends that the Applicant submit to the Town Planner for coordination with the Town Engineer, Fire Department and Community Safety Officer for review and approval a Construction Sequencing and Safety Plan for the Site.

B. Fire Department: The Assistant Fire Chief has concerns with there being adequate maneuverability at the rear of the building to accommodate emergency vehicle access. Additional information is required to verify adequate access.

C. Building Inspections Division: The Building Commissioner has determined that 37 spaces are required for the educational/philanthropic uses and 88 spaces for the auditorium. The Applicant is only providing 19 spaces within their lease area and relief from parking is required.

D. Concord Municipal Light Plant: CMLP notes that the proposed expansion and reconstruction of the municipal parking lot may require the relocation of the parking lot lights and underground service. At that time, the lights would be changed out to match new LED standard. It should be determined at this time who will be responsible for this work. CMLP did not have any other issues with the proposed project and recommends standard conditions of approval.

E. Health Division: In a comment letter dated April 11, 2017, the Director recommends three conditions regarding the sewer review, proposed kitchen and food service.

F. CPW Engineering Division: In a comment letter dated April 24, 2017, the Engineering Division raises issues with the number of small car spaces and the stormwater drainage that need to be resolved. Additionally, the Engineering Division is recommending the Construction Sequencing and Safety Plan be submitted for review and comment due to the site constraints and potential impact to the municipal parking lot.

G. CPW Water/Sewer Division: The Water/Sewer Division did not have any significant issues or concerns with the project and recommends standard conditions of approval.

H. Planning Division: The Town Planner offers the following comments for consideration by the Board:

- a. The Applicant needs to provide a detailed parking analysis on the dimensions of all of the parking spaces, the number of small car spaces and whether a waiver is being requested for more than the allowed 30% maximum number of small car spaces.
- b. The application includes various exterior lighting cut-sheets that have multiple variations and options. It appears that at least two of the fixtures, SL5, SL6, and SL8 depending on the direction it is mounted, are not dark-sky compliant. The Applicant should specify which fixtures are proposed.
- c. The Applicant has provided a photometric plan that shows light spillover onto adjacent properties. The Applicant will need to modify the fixtures to correct this issue
- d. The plans do not appear to provide any area for bicycle parking.
- e. The Applicant needs to coordinate with the Fire Department on the location of the dumpster.
- f. The Applicant is proposing additional landscaping at the rear of the building to help screen the parking. The Applicant has not proposed any additional landscaping within the municipal parking lot. The Planning Board should discuss whether there is sufficient landscaping to protect adjoining premises against seriously detrimental uses.
- g. The Applicant states that trash and recycling bins will be located in the building and emptied as needed to the dumpster at the rear of the site. The plans show a single 6' by 6' dumpster. This would not be sufficient for trash, recycling and a separate cardboard dumpster if one was required. The Applicant should provide additional information on the refuse generated by the various uses of the building. If additional dumpsters are required, this would directly impact emergency vehicle maneuverability

IV. Zoning

4.3.1 Educational: *Use of land, buildings and structures for providing learning in a general range of subjects on land owned or leased by the Commonwealth or any of its agencies, subdivisions of bodies politic or by a recognized religious sect or denomination, or by a nonprofit educational entity which may include athletic facilities, dormitories, administrative offices and similar facilities and activities whose purpose is substantially related to furthering learning.*

Educational uses are permitted in the residential zoning district.

4.3.4 Philanthropic: *Charitable or nonprofit library, museum, art gallery or other similar use.*

A Special Permit is required for the Umbrella Community Arts Center in a residential zoning district.

6.2.11 Height: *In the Residence AA, Residence A, Residence C and Residence B Districts, the height of a building shall be measured as the vertical distance from the 'base elevation' to the peak of the roof, or the highest point of the exterior in the case of a flat roof. The 'base elevation' is the average of the elevations of the ground where the two corners of the lowest foundation wall of any existing structure meet the ground. In the absence of an existing structure, the base elevation shall be the average elevation (measured as indicated in the previous sentence) of the*

ground at the location on the site where the new building is to be placed, prior to any grading or mounding.

The Board may grant relief from the above definition for the height of a building in the Residence AA, Residence A, Residence C and Residence B Districts provided the Board finds that a literal application of this requirement would be unreasonable because there are no reasonable alternatives available and that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.

The maximum height allowed in the Residence C Zoning District is 35 feet. With a 'base elevation' of 135.58', the height of the proposed auditorium is proposed to be 45'4". The Applicant states that the height of the proposed auditorium will not exceed the height of the existing portion of the building that will remain. In the application and in a letter dated May 1, 2017 from the Applicant's architect, the waiver is required to accommodate the auditorium theater fly space and the required raising of the basement floor elevation due to high ground water. The Applicant states that there are no reasonable alternatives available to accommodate the required theater fly space without the requested height waiver. The Planning Board should discuss whether the literal application of the height requirement would be unreasonable because there are no reasonable alternatives available and that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.

7.7.2.12 Relief from parking requirements: *The Board may, upon advice of the Planning Board, grant relief from the parking and loading requirements in Section 7.7.2 provided the Board finds that a literal application of such requirements would be unreasonable and that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw. The Board may require the applicant to submit a written report, prepared by a qualified parking consultant, defining and evaluating the nature and impact of the requested relief.*

The Applicant states there are 29 staff members that work in the Umbrella building and 8 classrooms, which require a total of 37 spaces, and the auditorium seating will remain at 351 seats, which requires 88 parking spaces.

Currently there are approximately 19 informal parking spaces around the building within the lease area for the Umbrella and is the reason the Applicant needs relief from the parking requirements. There are 41 parking spaces in the adjacent municipal lot, which the Applicant relies upon for various events.

The Applicant is proposing to expand the municipal lot by 35 spaces for a total of 76 spaces and create 19 designated parking spaces around the building. This will bring the total number of to 95 spaces. The Applicant notes there is also parking along Stow Street to accommodate additional vehicles for larger events at the Umbrella.

The Planning Board has recommended the following criteria as a method of establishing a more deliberate process for the evaluation of granting relief from the parking requirements:

- 1) *Has the Applicant provided documentation from parking studies and/or transportation industry publications that show the parking ratios required in the Zoning Bylaw for the proposed use is not in-line with current industry standards.*

The Applicant is not requesting relief from the parking requirements based on the argument that the parking ratios in the Zoning Bylaw are incorrect.

- 2) *Has the Applicant provided information on how the proposed use is beneficial and/or contributes to the other businesses, village center and neighborhood?*

The Umbrella Community Arts Center is community asset that contributes to other businesses, Concord Center and the neighborhood. The proposed modifications to the Site allow for additional on-site parking and safer pedestrian movement to the building.

- 2) *What is the distance and availability of on-street parking, public parking facilities and alternative transportation?*

There are 41 spaces in the adjacent municipal lot and approximately 17 on-street parking spaces directly adjacent to the Site along Stow Street which are primarily used by the Umbrella and the Library. The Thoreau Depot Commuter Rail Station is approximately 1,740 feet to the Site.

- 3) *What is the intensity of the use and the number of employees required?*

The Applicant has stated there are 29 staff members that work in the Umbrella building and 8 classrooms, which require a total of 37 spaces. There is sufficient parking behind the building, in the adjacent municipal lot and along Stow Street to accommodate the number of staff. The Applicant should provide additional information on the auditorium use to verify that the intensity of that use will not be significantly different than the current use.

- 4) *Are alternative provisions being made for off-site parking for employees?*

The Applicant is not making any alternative provisions for off-site parking for employees due to the adjacent municipal lot and on-street parking available.

- 5) *Is there currently, or is the Applicant proposing bicycle parking?*

The plans do not appear to provide any area for bicycle parking.

V. Town Planner Recommendation

The Applicant needs to provide information and address issues raised by Town staff. It is recommended that the Planning Board continue their review following discussion with the Applicant to May 23rd or June 6th depending on the time required by the Applicant to provide the information and time provided for Town staff review.